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Before the Federal Communications Commission Washington, DC 20554

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In the Matter of)	FEDERAL COMMUNICATIONS COMMISSION OFFICE OF THE SECRETARY
Amendment of Section 73.202(b),)	SECOLITAL PARTIES
Table of Allotments,)	MM Docket No. 01-106 /
FM Broadcast Stations.	,	RM-10105
)	
(Pacific City, Oregon))	
)	

To: The Chief, Allocations Branch, Mass Media Bureau

COMMENTS AND COUNTERPROPOSAL

Thunderegg Wireless, L.L.C. ("Thunderegg"), hereby submits its comments and counterproposal pursuant to the Notice of Proposed Rule Making ("NPRM") in the above-captioned proceeding released April 27, 2001 (DA 01-1093).

Thunderegg is the licensee of KJUN(FM), Tillamook, Oregon, which holds a construction permit (BPH-20000807AFL) to operate on Channel 281C3 at Scappoose, Oregon. On April 27, 2001, Thunderegg filed a "one-step" application (BMPH-20010427AAQ) for a modification of the permit to upgrade KJUN to Channel 281C2 at Scappoose. As is shown in the attached Engineering Statement of Hatfield and Dawson, the upgrade would produce a net service gain of 57,185 persons and 3716 square kilometers within the predicted 60 dBu contour of KJUN.

Both the allotment point and the transmitter site specified in the KJUN upgrade application are "short-spaced" with the allotment of Channel 282A to Pacific City, Oregon,

No. of Copies rec'd 0 + 4 List A B C D E proposed in the NPRM; consequently, the upgrade application and the proposed allotment are mutually-exclusive.² However, this conflict can be resolved by allotment of Channel 227A to Pacific City instead of Channel 282A.³ Such an allotment would represent a "win-win" since it would both (i) provide a first local transmission service to Pacific City and (ii) enable KJUN to improve its service.

For the reasons stated, Thunderegg requests that the FM Table of Allotments be amended, pursuant to this counterproposal, to read as follows:

Community	Channel No.
Scappoose, Oregon	281C2
Pacific City, Oregon	227A

Respectfully submitted,

John E. Fiorini III WILEY, REIN & FIELDING 1776 K Street, N.W. Washington, DC 20006 202-719-7145

Dated: June 15, 2001

The application was filed as part of a "related group" of contingent applications pursuant to Section 73.3517(e); the "related" application is for a minor modification of KXDD(FM), Yakima, Washington (BPH-2001427AAR).

² There is no conflict between the proposed Pacific City allotment and the KXDD modification application.

Channel 227A can be allotted to Pacific City in compliance with all applicable allocation requirements, and would provide 60 dBu service to 1870 more persons than Channel 282A. See attached Engineering Statement.

HATFIELD & DAWSON

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ENGINEERING STATEMENT COUNTERPROPOSAL IN MM DOCKET NO. 01-106

This Engineering Statement has been prepared on behalf of Thunderegg Wireless, LLC ("Thunderegg"), in support of a Counterproposal in MM Docket No. 01-106. This proceeding was initiated by a Petition for Rulemaking filed by John L. Zolkoske ("Zolkoske"), proposing the allotment of Channel 282A at Pacific City, Oregon.

On April 27, 2001, the same day that the Notice of Proposed Rulemaking in this proceeding was released, Thunderegg filed an application for "one-step" Class C2 upgrade (FCC File No. BMPH-20010427AAQ) of its station KJUN, which is authorized for operation on Channel 281C3 at Scappoose, Oregon. Both the Class C2 allotment site and the proposed Class C2 transmitter site for KJUN are short-spaced to the proposed allotment of Channel 282A at Pacific City. Therefore, the KJUN application will be treated as a counterproposal in MM Docket No. 01-106.1

Channel 281C2 at Scappoose

The attached spacing study demonstrates that Channel 281C2 can be assigned for use at Scappoose using allotment reference coordinates at NL 45• 34' 44" x WL 122• 58' 16", presuming that Channel 282A is not assigned for use at Pacific City. The Scappoose 281C2 allotment site is located 21 kilometers from Scappoose.

The proposed allotment of Channel 281C2 at Scappoose will provide 60 dBu service to 1,471,756 persons in an area of 8,493 km².

¹The KJUN "one step" application was filed as part of a contingent application group with an application for minor modification of station KXDD, which operates on Channel 281C1 at Yakima, Washington (FCC File No. BPH-20010427AAR). The KXDD application has no direct relationship with the Pacific City proposal.

The authorized operation of Channel 281C3 at Scappoose provides 60 dBu service to 1,414,571 persons in an area of 4,777 km².

The gain area associated with the Class C2 upgrade at Scappoose encompasses 90,194 persons in an area of 4,340 km².

The loss area associated with the Class C2 upgrade at Scappoose encompasses 33,009 persons in an area of 624 km². All of the loss area is considered to be well-served, receiving full-time service from stations KGON 222C Portland, KPDQ 229C Portland, KXJM 238C Portland, KKSN 246C, and KWJJ 258C1, among many others.

Alternate Channel at Pacific City

Should the Commission find it appropriate to make an allotment at Pacific City, Channel 227A may be assigned at that community in lieu of Zolkoske's requested Channel 282A. The attached spacing study demonstrates that Channel 227A can be assigned for use at Pacific City using allotment reference coordinates at NL 45• 20' 19" x WL 124• 00' 08". This site is located 15.4 kilometers from Pacific City, an unincorporated coastal community in Tillamook County.

The allotment of Channel 227A at Pacific City will provide 60 dBu service to a higher population than Zolkoske's requested Channel 282A. Channel 282A would provide 60 dBu service to 14,640 persons, while Channel 227A would provide 60 dBu service to 16,510 persons.

SEARCH PARAMETERS FM Database Date: 010605 Page

Channel: 281C2 104.1 MHz

Latitude: 45 34 44 Longitude: 122 58 16
Safety Zone: 50 km
Job Title: Scappoose 281C2 Reference Site

Cal I	City	Channel	ERP(kW)	Lati tude	Beari ng	Dist Req
Status	St FCC File No.	Freq.	HAAT(m)	Longi tude	deg-True	(km) (km)
	44444444444444444444444444444444444444			44444444444444444444444444444444444444		
LIC	OR BLH-940411KA				179.6	119. 28 105 14. 28 CLEAR
LIC	OK BLII- 940411KA	103. 7	333. 0	122-31-30		14. 20 CLEAR
K279AI	HAZEL DELL	279D	0. 040	45-37-47	75. 8	23. 30 0
CP	WA BPFT-000322AA0				70.0	0.00 TRANS
0.	Wil Dill GGGGEDING	100. 1	0.0	122 10 00		o. oo muno
K280DF	ASTORI A	280D	0. 110	DA 46-15-46	317. 3	104. 13 0
LIC	OR BLFT-880909TB	103. 9				O. OO TRANS
KVAS	I LWACO	280C3	10.000	46-18-51	314.8	117. 06 117
LIC	WA BLH-010125ABL	103. 9	52. 0	124-03-07		0.06 CL0SE
K283AI	LONGVIEW, ETC.	280D			356. 9	65. 74 0
LIC	WA BLFT-830718NE	103. 9	255. 0	123-01-01		0.00 TRANS
K281AH	FLORENCE	281D		DA 43-57-20	206. 1	200. 41 0
LIC	OR BLFT-980518TE	104. 1	235. 0	124-04-26		0.00 TRANS
		2015	0.050	.= .0	00 5	110.00
NEW-T	HOOD RIVER	281D		45-42-14	82. 5	113. 86 0
APP	OR BPFT-970910TE	104. 1	87. 0	121-31-18		0.00 TRANS
VOOLAE	OAKBIBGE	2010	0 100	40 40 05	167. 2	205. 29 0
K281AF	OAKRI DGE	281D	0. 180 667. 0		107. 2	205. 29 0 0. 00 TRANS
LIC	OR BLFT- 960223TB	104. 1	667. U	122-24-13		U. UU TRANS
KRRC	PORTLAND	281D	0.010	45-28-51	112. 2	28. 73 0
LIC	OR BLED-980226KB	104. 1	- 29. 0		112.2	0. 00 CLS=D
LIC	OR BLED- 980220RB	104. 1	- 23. 0	122-31-31		0. 00 CL3-D
KJUN	SCAPP00SE	281C2	0.000	45-34-44	0.0	0.00 190
VACAN	OR -	104. 1	0.00			- 190. 00 SHORT
viicini	O.K	101.1	0.0	122 00 10		100.00 0
KJUN	SCAPP00SE	281C2	7.000	45-29-20	114.8	23. 81 190
APP	OR BMPH-010427AAQ		386. 0		SS	-166. 19 SHORT
-		· -				
KJUN	SCAPPOOSE	281C3	1.650	45-29-20	114.8	23. 81 177
CP	OR BPH-000807AFL	104. 1	386. 0			-153.19 SHORT

Page

Channel: 281C2 104.1 MHz
Latitude: 45 34 44
Longitude: 122 58 16
Safety Zone: 50 km
Job Title: Scappoose 281C2 Reference Site

Call Status 4444444 KPXA CP	City St FCC File No. 44444444444444444444444 SISTERS OR BMPH-000518ABV	Freq. 4444444 281C2	HAAT(m) 44444444	44444444444444444444444444444444444444	deg-True 144444444	(km) (km)
KPXA	SI STERS	281C2	34. 000	44-04-40	141. 6	211. 34 190
CP MOD	OR BMPH-010403AAB	104. 1	180. 0	121-19-49		21. 34 CLEAR
DEL	TI LLAMOOK OR RM- 9702	281C3 104. 1	0. 000 0. 0		259. 4	72.05 177 -104.95 SHORT
KJUN	TI LLAMOOK	281C3	6. 500	45 - 27 - 24	259. 4	72.05 177
LIC	OR BLH-860516KB	104. 1	- 60. 0	123 - 52 - 36		-104.95 SHORT
K279AI	HAZEL DELL	281D	0. 040	45-37-47	75. 8	23. 30 0
LIC	WA BLFT-980813TH	104. 1	- 2. 0	122-40-53		0. 00 TRANS
K281AD LIC	OLYMPIA WA BLFT-931228TD	281D 104. 1	0. 050 94. 0		3. 3	164. 12 0 0. 00 TRANS
KXDD	YAKIMA	281C1	100. 000	DA 46-30-48	61. 4	224. 39 224
APP	WA BPH-010427AAR	104. 1	245. 0	120-24-05	SS	0. 39 CL0SE
KXDD	YAKIMA	281C1	61. 000	46-30-48	61. 4	224. 39 224
LIC	WA BLH-1929	104. 1	238. 0	120-24-05		0. 39 CL0SE
NEW- T APP	BEAVERTON OR BPFT-971010TG	282D 104. 3			134. 3	21.51 0 0.00 TRANS
ADD	PACIFIC CITY OR RM-10105	282A 104. 3	0. 000 0. 0	45-12-09 123-57-42	241. 9	88. 13 106 -17. 87 SHORT
VACANT	CHEHALI S WA -	282A 104. 3	0. 000 0. 0	46-38-57 122-57-58	0. 2	118. 97 106 12. 97 CLEAR
K282AB	CHEHALIS	282D	0. 040	46-36-43	0. 6	114. 83 0
LIC	WA BLFT-940321TA	104. 3	86. 0	122-57-15		0. 00 TRANS
K282AF	WOODLAND	282D	0. 050	DA 45-54-25	28. 9	41.72 0
CP	WA BPFT-970613TG	104. 3	237. 0	122-42-38		0.00 TRANS

SEARCH PARAMETERS FM Database Date: 010605

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Channel: 281C2 104.1 MHz Latitude: 45 34 44 Longitude: 122 58 16

Safety Zone: 50 km
Job Title: Scappoose 281C2 Reference Site

Cal I	City	Channel ERP(1		Bearing Dis	
Status	St FCC File No.	Freq. HAAT	(m) Longi tude	deg-True (km) (km)
444444	444444444444444444	444444444444444444444444444444444444444	1444444444444444	444444444444444	444444
K282AF	WOODLAND	282D 0.0	040 45-46-35	44. 6 30. 9	2 0
LIC	WA BLFT-001220ACE	104. 3 153	3. 0 122-41-30	0.0	O TRANS
KMCQ	THE DALLES	283C 100. (000 45-42-44	83 . 5 1 45 . 5	4 105
LIC	OR BLH-990512KA	104. 5 609	3. 0 121-06-50	40. 5	4 CLEAR
VMCO	THE DALLEC	2020 100 (000 45 42 44	90 E 14E E	2 105
KMCQ	THE DALLES	283C 100.0			
CP	OR BPH-990512IC	104. 5 609	9. 0 121-06-51	40. 5	2 CLEAR
K283AI	LONGVI EW	283D 0.0)20 46-09-46	8. 1 65. 5	6 0
					_
CP	WA BPFT-000721AAA	104. 5 347	7. 0 122-51-05	0. 0	O TRANS
KDUK_FM	FLORENCE	284C 63.0	000 44-17-35	197. 5 149. 7	3 105
LIC					3 CLEAR
LIC	OR BLH-890920KC	104. 7 709	9. 0 123-32-15	44. 7	3 CLEAR

44444 END OF FM SPACING STUDY FOR CHANNEL 281 44444

Channel: 227A 93.3 MHz

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Latitude: 45 20 19 Longitude: 124 0 8 Safety Zone: 32 km

Safety Zone: 32 km
Job Title: Pacific City 227A

Cal l	City	y	Channel	ERP(kW)	Latitude	Bearing	Di st	Req
Status 4444444	St 1444	FCC File No. 4444444444444444	rreq. 4444444	HAAI(M) 4444444	Longi tude 14444444444	aeg-Irue 44444444	(KM) 44444444	(km) 14444
KNCU		PORT	224C3		44-45-22		64. 84	42
LIC	OR	BLH-000417ABR	92. 7		124-02-57		22.84	CLEAR
KAST-FM	AST	ORI A	225C1	99. 000	46-10-56	9. 3	95. 04	75
LIC	OR	BLH-991209AA0	92. 9	174.0	123-48-09		20. 04	CLEAR
KAST-FM	AST	ORI A	225C1	99. 000	46-10-54	9. 2	94. 95	7 5
LIC	OR	BLH-810526AL	92. 9	165. 0	123-48-19		19. 95	CLEAR
K225AI	POR	TLAND	226D	0. 020	45-21-17	88. 3	79. 37	0
LIC	OR	BLFT-970722TH	93. 1	417.0	122-59-23		0.00	TRANS
KKNU	SPR	I NGFI ELD- EUGENE	226C	100. 000	44-00-04	154. 4	164. 53	165
LIC	OR	BLH-970925KF	93. 1	396. 0	123-06-45		-0.47	SHORT
K228DT	HAPI	PY HOLLOW	228D	0. 010	45-12-48	125. 5	23. 95	0
LIC	OR	BLFT-000414ACQ	93. 5	833. 0	123-45-14		0.00	TRANS
NEW- T		PORT	228D	0.060	44-38-40	180. 7	77. 15	0
APP	OR	BPFT-970911TB	93. 5	210. 0	124-00-52		0. 00	TRANS
KPDQ-FM			229C	100.000	45-29-20		103. 73	95
LIC	OR	BLH-900828KD	93. 7	387. 0	122-41-40		8. 73	CLOSE
		LAMOOK	281C3		45-27-24		16. 40	12
DEL	OR	RM- 9702	104. 1	0. 0	123-52-36		4. 40	CLOSE
KJUN	TILI	LAMOOK	281C3		45-27-24		16. 40	12
LIC	OR	BLH-860516KB	104. 1	- 60. 0	123-52-36		4. 40	CLOSE

44444 END OF FM SPACING STUDY FOR CHANNEL 227 44444

Statement of Engineer

This Engineering Statement, supporting a Counterproposal in MM Docket No. 01-106, has been prepared on behalf of Thunderegg Wireless, LLC. All representations herein are true to the best of my knowledge. I am an experienced radio engineer whose qualifications are a matter of record with the Federal Communications Commission. I am a partner in the firm of Hatfield & Dawson Consulting Engineers and am Registered as a Professional Engineer in the States of Washington and Alaska.

Signed this 13th day of June, 2001.



Stephen S. Lockwood, P.E.

CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of June, 2001, I caused copies of the foregoing Comments and Counterproposal to be mailed via first-class postage prepaid mail to the following:

John L. Zolkoske 915 N. Douglas Ave. Stayton, OR 97383

Wanda L. Thorpe